

KINNEY EXHIBIT 3

Participation Agreement**WHIRLPOOL JET**

Group Organizer

Please Read Carefully

(Waiver and Release Included)

This participation agreement must be signed (with no alterations) by each person participating in any Whirlpool Jet activity. For any participant under 18 years of age the consent at the bottom of the agreement must be signed in advance by Parent or Legal Guardian and presented to Whirlpool Jet upon arrival.

YOUR SIGNATURE ON THIS FORM INDICATES YOU ACCEPT THE CONDITIONS OUTLINED BELOW AND UNDERSTAND THE RISK INHERENT IN THIS ACTIVITY. You also acknowledge that you have read this document at your leisure and have had adequate time to decide whether to participate in this activity. **THIS ACTIVITY IS NOT RECOMMENDED FOR PEOPLE SUFFERING FROM MEDICAL CONDITIONS INVOLVING THE NECK, BACK OR HEART. PLEASE INITIAL THE FIRST PARAGRAPH AFTER READING.**

PLEASE PRINT CLEARLY

Name: _____ Age: _____

Address: _____ Unit/Apt. #: _____

City: _____ Province/ State: _____

Postal/ Zip Code: _____ e-mail: _____

I, the Undersigned, on behalf of myself, my heirs, executors, administrators and assigns, in consideration of **NIAGARA GORGE JET BOATING Ltd.**, carrying on business as **WHIRLPOOL JET** (the "Company"), permitting me to participate in its activity, do hereby **RELEASE** and forever **DISCHARGE** the Company, its agents, servants and employees, successors and assigns, from all manner of actions, causes of action, suits, debts, contracts, claims and demands whatsoever, which I now have, shall or may have for or by reason of any cause, matter or thing, including negligence on the part of the Company, its agents, servants and employees. I agree not to make any claim against any person or corporation who might claim contribution or indemnity against the Company, its agents or employees.

(INITIAL): _____

I AM AWARE that there are risks, hazards and dangers inherent in jet boating (the "Company's Activity") including bumping and jolting of the boat. Notwithstanding such risks, hazards and dangers, I request the Company to allow me to participate in its Activity, and I hereby agree to assume all risks involved in engaging in the above Activity.

I AGREE, and am aware, that as a condition of being allowed to participate in the Company's Activity, I do warrant that I am comfortable in and around the water while wearing a life jacket and that I am in good physical health. In particular, I warrant that I have no medical condition involving my neck, back or heart. I also warrant that I am **NOT** pregnant.

I HEARBY ACKNOWLEDGE THAT I HAVE READ THIS AGREEMENT at my leisure and understand that it is a **FULL AND FINAL RELEASE** and waiver of all my claims for damages or injuries sustained as a result of my participation in the Company's Activity, and that I am signing this Agreement voluntarily, knowing full well that I am releasing and forever discharging the Company and its agents, servants and employees of all liability for any losses and damages which I may sustain.

I ALSO GIVE my permission to use any and all pictures, video and/or movies in which I may appear for publicity, promotion and advertising without remuneration.

Participant Signature _____ Date _____

PARENT / GUARDIAN AGREEMENT FOR MINORS

I AM the parent / guardian of the Minor who has signed this agreement. The Minor is over the height of forty-four (44) inches for the Wet Jet tour and over the height of forty (40) inches to participate on the Jet Dome tour. **I HAVE READ THE AGREEMENT AND UNDERSTAND THAT IT IS A FULL AND FINAL WAIVER AND RELEASE FROM ANY CLAIMS FOR LOSS OR DAMAGE THAT THE MINOR MAY SUFFER.** I consent to the Minor's participation in the Company's Activity and approve all of the term of the Agreement on the Minor's behalf. I agree to indemnify the Company, its agents, servants and employees from any claims that might be made against them by or on behalf of the minor.

Parent / Guardian Signature _____ Date _____

Address _____